

**A ORDINANCE BY**

**03-○ -1120**

**COUNCILMEMBER IVORY LEE YOUNG JR.**

**AN ORDINANCE TO AMEND ARTICLE VII SO AS TO CREATE CHAPTER 107, WHICH WILL IDENTIFY SPECIFIC SCHOOLS AND OTHER PERMISSIBLE AREAS AS DRUG FREE ZONES AND AUTHORIZE THE PLACEMENT OF DRUG FREE ZONE SIGNS AT THESE SPECIFIED LOCATIONS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the state code of Georgia authorizes a municipality to establish the area within one thousand feet of a public school as a drug free zone; and

**WHEREAS**, it is the responsibility of the City Council to utilize whatever means available to combat drug use; and

**WHEREAS**, there are public schools within the City of Atlanta, which are located in high drug trafficking areas; and

**WHEREAS**, the creation of these drug free zones will help combat drug trafficking and use in the areas which surround these schools.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:**

**SECTION 1:**

That the City of Atlanta, Code of Ordinances, Article VII, is amended so as to add Chapter 107 as described below:

**Section 107-100      Designation of Drug Free Zones**

(a)      Drug free zones consist of the one thousand feet within the locations described below:

(b)      The commissioner of public works is directed to erect "Drug Free Zones" at each location described in subsection (a) above.

**Section. 106-404.      Duration; Revision; Deletion**

(a)      Designation of drug-free zones shall expire five years from the date of the enactment of this ordinance, unless the Council after causing an appropriate study to be undertaken, decides to continue as or designate as a drug-free zone by enacting an ordinance

(b) The council may revise the designations by ordinance in the event it deems that appropriate.

(c) The council may remove the designation of drug-free zone in the event it deems that appropriate. The removal of the designation also shall be by ordinance.

#### **Section 107-101 Prohibited Acts**

(a) It shall be unlawful for any person within the designated drug-free zones of the City of Atlanta to engage in or be in or about any place where gaming or the illegal sale or possession of alcohol beverages or narcotics or dangerous drugs is practiced, allowed or tolerated, or for the purpose of or intent to engage in gaming or the purchase, use, possession or consumption of such illegal drugs, narcotics or alcoholic beverages.

(b) Any person violating this code section shall be punished pursuant to section 1-8 of this Code as it shall be amended from time to time.

(c) A person is subject to exclusion for a period of six months from the public streets, sidewalks, and other public ways in all designated drug-free zones designated in article VII of chapter 107 of the Code if that person has been found guilty and convicted of violating subparagraph (a) of this section.

#### **Section 107-102 Issuance of Exclusion Notices**

(a) The municipal or city court judge shall issue exclusion notices to any person found in violation of this code section as provided for in section 107-101(a).

(b) If a person excluded from designated drug-free commercial zones is found in any such zone during the exclusion period, that person is subject to immediate arrest for violation of this code section as provided in section 1-8 of this Code.

#### **SECTION 2:**

That all ordinances or parts or ordinances in conflict herewith are hereby repealed.